



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor

Wayne A. Rosenthal, Director

March 23, 2015

Rich Rollins
Rollins Aquatic Solutions Inc.
PO Box 57
Bloomington, IL 61708

RE: Ras2015-2

Project Number(s): 1510562

County: Lake

Dear Mr. Rollins:

This letter concerns the consultation for aquatic plant management in Deep Lake, Lake County, Township 46 North, Range 10 East, Sections 33 and 34. This project was submitted for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and 17 *Ill. Adm. Code* Part 1075.

Deep Lake INAI is listed on the Illinois Natural Areas Inventory because it provides habitat for ten state-listed threatened and endangered species. Six state listed fish species occur in the lake:

Blacknose Shiner (*Notropis heterolepis*), endangered
Pugnose Shiner (*Notropis anogenus*), endangered
Banded Killifish (*Fundulus diaphanous*), threatened
Blackchin Shiner (*Notropis heterodon*), threatened
Iowa Darter (*Etheostoma exile*), threatened
Starhead topminnow (*Fundulus dispar*), threatened

To avoid adverse impacts to the state-listed fish, the Department recommends that no herbicide treatment occur between May 15 and August 1, which is the time frame for the various spawning seasons of the six fish species. The Department also recommends that only spot treatments of a slow release granular herbicide be used.

Deep Lake also contains four state listed plant species:

Water Marigold (*Potamogeton praelongus*), endangered
White-stemmed Pondweed (*Potamogeton praelongus*), endangered
Fern Pondweed (*Potamogeton robbinsii*), endangered
Grass-leaved Pondweed (*Potamogeton gramineus*), threatened

Avoid herbicide application to any of these species. Herbicides are a major threat to these plants, and are one of the reasons the plants are threatened with extirpation from the state. The Department recommends that Best Management Practices be used to reduce eutrophication and thereby reduce the need for such chemical treatment. Because these are state listed plants, you must have the written permission of all impacted land owners before you can apply an herbicide to the lake that might 'take' a listed plant species. "Take" means, in reference to plants and plant products, to collect, pick, cut, dig up, kill, destroy, bury, crush, or harm in any manner.

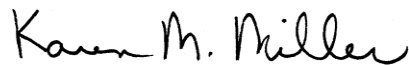
Deep Lake flows into Sun Lake, which is a dedicated Illinois Nature Preserve. Nature Preserves have legal protections, and no adverse impacts are allowed. Before applying herbicide to Deep Lake, you must coordinate directly with Kelly Neal of the Illinois Nature Preserves Commission. You can email her at Kelly.Neal@illinois.gov.

Consultation under 17 Ill. Adm. Code Part 1075 is terminated. In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.



Karen Miller
Division of Ecosystems and Environment
217-785-5500

cc: Kelly Neal, INPC